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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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JAN 11 1996

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)
)
Amendment of the Commission's) ET Docket No. 95-183
Rules Regarding the 37.0-38.6 GHz and) RM-8553
38.6-40.0 GHz Bands)
)
Implementation of Section 309(j) of the)
Communications Act -- Competitive) PP Docket No. 93-253
Bidding, 37.0-38.6 GHz and 38.6-40.0 GHz)

MOTION FOR EXTENSION OF TIME BY ADVANCED RADIO TECHNOLOGY, LTD.

Pursuant to §1.46 of the Commission's Rules, Advanced Radio Technology, Ltd. ("ART Ltd.") hereby submits this Motion for an Extension of Time of fourteen (14) days to file its comments in the referenced proceeding. Comments on The Notice of Proposed Rule Making in this proceeding are due January 16, 1996; the requested extension would make the due date January 30, 1996.

Motions for Extension of Time were due on January 9, 1996, seven days before the comment date. However, due to the Commission shutdown, we were unable to file on January 9, and are filing this Motion at the first opportunity to do so, the day of the reopening of the Government. ART Ltd. respectfully requests, therefore, that this Motion be accepted as timely filed. ART Ltd. is taking steps to notify Commission staff orally as directed in the Rules for motions filed after the seven day cutoff. (§1.46)

A modest two week extension would be in the public interest for several reasons. The long shutdown of the Government has rendered it impossible to conduct factual research into Commission records of pending applications and its actions, which research is critical to ART

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Ltd.'s pleading. In addition, the same weather conditions that forced the government to close have severely hampered ART Ltd.'s drafting of its comments. ART Ltd. therefore requests that it be permitted to file its comments on January 30, 1996.

Counsel for Commco, L.L.C., PLAINCOM, INC. and Sintra Capital Corporation has stated that it consents to this motion. Counsel for Thomas Domencich has stated that it does not object to this motion.

Respectfully Submitted,

W. Theodore Pierson, Jr.

W. Theodore Pierson, Jr.
Executive Vice President and
General Counsel
ART Ltd.

January 11, 1996